

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DONALD BRIAN HAVEY,)	
)	
Petitioner,)	
)	
v.)	No. 4:17-CV-852 JAR
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

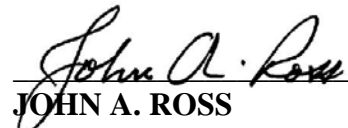
MEMORANDUM AND ORDER

This matter is before the Court on Petitioner’s Motion for Appointment of Counsel (Doc. No. 14). After review of the record in this matter, the Court declines to appoint counsel for Petitioner at this time. There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented nonfrivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff’s allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005. After considering these factors, the Court finds the facts and legal issues involved in this action are not so complicated that the appointment of counsel is warranted at this time. As such, Petitioner’s motion for appointment of counsel will be denied, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's Motion for Appointment of Counsel [14] is **DENIED**.

Dated this 7th day of February, 2018.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE